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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): BILBREY, Brett)
For: PORTABLE PLAYER FOR) Certificate of Transmission
PERSONAL VIDEO RECORDERS) under 37 CFR 1.8
Serial Number: 09/847,633) I hereby certify that this
Filed: May 02, 2001) correspondence is being
Examiner: CHEVALIER, ROBERT) facsimile transmitted to the
Art Unit: 2616) United States Patent and
Attorney Docket: BIL 1864) Trademark Office (571-273-
8300) on December 6, 2006.
David H. Sitrick
(22 pages transmitted)

AMENDMENT B - Resubmission

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby submits this Amendment B (Resubmission), responsive to a Notice of Non-Compliant Amendment, Paper No. 10312006-1, date mailed 11/09/06, for which a corrected submission is required to be filed by 12/09/06.

Amendment B was originally filed as responsive to the Office Action, Paper No. 20060720—Date Mailed: July 31, 2006, for which a response was due October 31, 2006 by a shortened statutory period for reply set to expire three [3] months from the mailing date of the Office Action, and for which a responsive Amendment B was timely filed on October 31, 2006.

However, pursuant to the Notice of Non-Compliant Amendment, Paper No. 10312006-1, date mailed 11/09/06, a corrected submission of the non-compliant Amendment B is required to be filed by 12/09/06.

Applicant's attorney (the undersigned hereinafter) wishes to thank Examiner Chavelier for the brief phone discussion of today's date (December 6, 2006), and for Examiner's explanation during that discussion providing direction and clarifying that a proper response to

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the Notice of Non-Compliant Amendment was to resubmit and file a corrected version of Amendment B as previously filed on October 31, 2006, but with the corrected listing of the claims contained therein. In accordance with this direction from Examiner, this Amendment B (Resubmission) is filed responsive to the Notice of Non-Compliant Amendment, Paper No. 10312006-1, date mailed 11/09/06. Reconsideration is requested.

Responsive to the Notice of Non-Compliant Amendment, Paper No. 10312006-1, date mailed 11/09/06, the listing of claims in Amendment B as filed on October 31, 2006 has been corrected to include the text of all pending claims, including withdrawn claims 20 to 22, as per items 4.B. and 4.E. as checked on the form for the Notice of Non-Compliant Amendment, Paper No. 10312006-1. By this Amendment B (Resubmission), these corrections have been made, and are incorporated into this Amendment B (Resubmission). It is respectfully submitted, that by this Amendment B (Resubmission), all bases of the Notice of Non-Compliant Amendment, Paper No. 10312006-1, date mailed 11/09/06, have been traversed and overcome, and that this Amendment B (Resubmission) is fully compliant.

Claims 1-19 and 23-47 are pending. Claims 1-47 are hereby pending. Claims 20-22 were previously withdrawn as non-elected with traverse. Claims 1-3, 4, 6, 8-11, 14-19, 23-28, 35-37, 38, 39, 40, 42, 43, 45-47 are hereby amended. New Claim 48 has been added, dependent from claim 15. Claims 32 and 33 were previously presented. Claim 5 has been cancelled and its body has instead been added into claim 1, so as to make claim 1 (as amended) allowable (over objection). Claims 3 and 4 have been amended to add all of underlying base claim 1 to make them allowable (over objections).

"Claims 3-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

By this Amendment, the substance and body of claim 5 has been added into claim 1, so as to effectively rewrite claim 5 in independent form, so as not be dependent upon a rejected claim. Claims 4 and 5 have been amended and rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

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The fee for the additional two (2) independent claims and one additional claim, has been authorized to be paid, by a concurrently filed Amendment Fee Transmittal form. No new matter has been added.

The Director is hereby authorized to charge any additional fees and credit any overpayments during the pendency of this application to Sitrick & Sitrick's Deposit Account Number: 501166. No new matter has been added. Reconsideration is respectfully requested.